

Remarks

Claims 1-12 and 14-19 are pending in the application. Claims 8-12 and 14-19 were allowed, claims 1-2 and 5-7 were rejected, and claims 3-4 were objected to. A copy of the pending claims is attached for your convenience. Reconsideration of the claims is respectfully requested. No new matter has been added.

Oath/Declaration

The oath/declaration was objected to by the Examiner as being illegible. A new declaration is enclosed with this Amendment and is believed to cure the objection.

Rejection Under 35 U.S.C. § 102

Claims 1 and 2 were rejected under § 102(b) as being anticipated by United States Patent No. 276,821 to Hull (hereinafter "Hull '821"). Applicants thank the Examiner for being available for a phone interview on September 10, 2003. During the phone interview, the Examiner invited the Applicant to make this reply and indicated that the final rejection based on Hull '821 would be withdrawn based on the following arguments. Claim 1 requires a "first rail coupling said first side panel to said front panel" and a "second rail coupling said second side panel to said front panel." In the Office Action, the Examiner contended that K' is a front panel. However, K' is a tail board located "at the tail of the wagon body" (column 2, line 60-72) and is not a front panel as required by the present invention. Moreover, the first and second rail P as defined by the Examiner does not couple the front panel K to any surface. Indeed, plate P does not contact front panel K. As such, the rejection of claim 1 and dependent claims 2-7 is improper and Applicants respectfully request that it be withdrawn.

Rejection Under 35 U.S.C. § 103(a)

Claims 5-7 were rejected under § 103(a) as being unpatentable over Hull '821 in view of U.S. Patent No. 3,842,755 to Carr (hereinafter "Carr '755"). Claims 5-7 depend on claim 2. Consequently, the rejection of claims 5-7 is believed to be moot due to the amendment to claim 1 for the reasons previously discussed.


With regard to claim 7, the Examiner stated in reference to Hull '821 that "each of the first and second side panels are thought to be corrugated." However, there is no teaching of corrugated side panels in Hull '821. Instead, Hull '821 discloses a series of parallel boards (column 1, lines 28-29). Moreover, the panels depicted in Hull '821 are planar. Carr '755 does not cure the deficiencies of Hull '821. Consequently, Applicants respectfully believe that a *prima facie* case of obviousness has not been established. Applicants respectfully request that the rejection be withdrawn or that information be provided that distinctly points out the basis for asserting that the first and second side panels are corrugated.

Conclusion

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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